

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

### Attorney Heather H. Kruthers (for Public Guardian, Conservator of the Estate)

Petition for Authorization and Instruction as to Management of Conservatee's Estate Assets (Authority to Invest Funds)

			PUBLIC GUARDIAN, Successor Conservator of	NEEDS/PROBLEMS/COMMENTS:
			the Estate appointed on 7/5/1995, is Petitioner.	
			~Please see Petition for details~	Continued from 4/21/2016.  Minute Order states the Court wants more
Co	ont. from 04211	6		information regarding RIA
	Aff.Sub.Wit.			and the rates of return for
✓	Verified			other comparable accounts they are managing for the
	Inventory			Public Guardian's office; the
	PTC			information is to be filed at
	Not.Cred.			least one week prior to
✓	Notice of Hrg			6/2/2016.
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp		~Please see additional page~	
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: LEG
	Status Rpt			Reviewed on: 5/24/16
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 1- Hernandez

### 1 Additional Page, Francisco Hernandez (CONS/E) Case No. 0208851

Petitioner prays for an order that the Court authorize the Public Guardian to systematically invest the Conservatee's assets through the diversified portfolio presented by REGENCY INVESTMENT ADVISORS.

**Note for reference:** Probate Code § 2570(d) for authorization of investments provides the court may require such proof of fairness and feasibility of [the investment] as the court determines is necessary. Probate Code § 2574 provides the conservator, without authorization of court, may invest funds of the estate [in enumerated types of investments, which appear to describe the proposed investment for Conservatee]; 2574(b) provides that in making the investments, the conservator shall take into consideration the circumstances of the estate, indicated cash needs, and, if reasonably ascertainable, the date of the prospective termination of the conservatorship.

Attorney Flanigan, Philip M. (for Martha Huerta – Administrator)

Probate Status Hearing RE: First or Final Account

DOD: 06/21/99	MARTHA HUERTA, daughter, was	NEEDS/PROBLEMS/COMMENTS:
000.00/21/77	appointed as Administrator with full	NEEDS/TROBLEMS/COMMENTS.
	IAEA and with bond set at \$110,000.00	Need First Account or Petition for
	on 04/02/15.	Final Distribution.
Cont. from	=	
Aff.Sub.Wit.	Receipt of Bond filed 05/13/2015 in the	
	amount of \$110,000.00.	
Verified	Letters issued on 05/13/2015.	
Inventory	=	
PTC	Final Inventory and Appraisal filed	
Not.Cred.	08/03/2015 shows an estate valued at	
Notice of	\$55,000.00.	
Hrg	Minute Order from 04/02/15 seet this	
Aff.Mail	Minute Order from 04/02/15 set this hearing for status regarding filing of the	
Aff.Pub.	First and/or Final Account.	
Sp.Ntc.	=	
Pers.Serv.	Declaration of Philip M. Flanigan and	
Conf.	Status Report and Request for	
Screen	Continuance filed 05/26/2016 states on	
Letters	the primary asset in the estate is the	
Duties/Supp	decedent's home. Petitioner's brother was living with the decedent and still	
<b>Objections</b>	resides in the property. Petitioner has	
Video	advised him that he needs to move but	
Receipt	he has not been able to find a new	
CI Report	place as he works out of town and has	
9202	not had the time. The home is in need	
Order	of some repairs that need to be	
Aff. Posting	completed before it can be sold.  Petitioner respectfully requests that this	Reviewed by: LV
Status Rpt	status hearing be continued for a	<b>Reviewed on:</b> 05/31/2016
UCCJEA	period of ninety days to allow her to get	Updates:
Citation	her brother to agree to move or to	Recommendation:
FTB Notice	initiate proceedings to have him	File 6- Garcia
	evicted. At that time the property will	
	be listed for sale. Once the property is	
	sold the Final Account and Petition to close the estate will be filed.	
	Liose the estate will be liled.	

### Attorney Gary G. Bagdasarian (for Petitioner Beverly E. Kitchen, Administrator)

First and Final Account and Report of Status of Administration of Administrator and Petition for Settlement Thereof; Waiver of Administrator's Commissions and Attorney's Fees; for Costs Reimbursement and for Final Distribution

DC	DD: 10/31/2014	BEVERLY E. KITCHEN, spouse and	NEEDS/PROBLEMS/COMMENTS:
		Administrator, is Petitioner.	
		1	1. Paragraph 21 of the Petition
		Account period: 8/14/2015 - 3/31/2016	requests a closing reserve of
Cc	ont. from	Accounting - \$19,612.55	\$1,000.00; however,
	Aff.Sub.Wit.	Accounting - \$19,612.55 Beginning POH - \$19,612.55	Paragraph 22 does not deduct the <b>\$1,000.00</b> from
_	Verified	Ending POH - \$19,612.55	the cash distribution sum.
<b>✓</b>	verilled	(all cash)	Need clarification regarding
✓	Inventory	, ,	whether the closing reserve is
<b>√</b>	PTC	Administrator - <b>waives</b>	requested, and if so, need revised cash distribution
✓	Not.Cred.	Attorney - <b>waives</b>	amounts, which would be <b>\$2,577.94</b> to each. ( <u>Note</u> : If
✓	Notice of	Administrator Reimb \$12,145.67	Petitioner confirms a closing
	Hrg	(\$11,771.67 for reimbursement of funeral	reserve is requested, Court
✓	Aff.Mail W/	expenses paid; \$374.00 for reimbursement	may require notice to be
	Aff.Pub.	of life insurance premiums paid;)	served of the decreased distribution sums to the
	Sp.Ntc.	Administrator Costs - \$876.00	distributees.)
	Pers.Serv.	(filing fee, publication, certified copies)	diamic crossiy
	Conf.		
	Screen	Attorney Costs - \$435.00	
	<b>Letters</b> 081415	(filing fee)	
	Duties/Supp	Closing - \$1,000.00	
	Objections	(liabilities for fiduciary income tax return)	
	Video	, , ,	
	Receipt	Distribution pursuant to Agreement for	
	CI Report	Settlement of Estate executed 8/6/2015 is	
	9202	to:	
✓	Order	BEVERLY KITCHEN - [\$3,077.94 or \$2,577.94	
	Aff. Posting	cash?]	Reviewed by: LEG
	Status Rpt	ANTOINETTE THIEL – [\$3,077.94 or \$2,577.94	Reviewed on: 5/31/16
	UCCJEA	cash?]	Updates:
	Citation		Recommendation:
✓	FTB Notice		File 7- Kitchen

Attorney Mario D. Vega; Robert S. Parade; of Los Angeles (for John E. Rogers, Jr., Esq.)

Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act

DOD: 4/27/2013			JOHN E. ROGERS, JR., ESQ., was appointed	NEEDS/PROBLEMS/COMMENTS:
			Special Administrator with no IAEA Authority	Continued from 10/29/2015.
			without bond with special powers on 8/13/2015.	Minute Order states Counsel
			LETTERS OF SPECIAL ADMINISTRATION EXPIRE ON	represents that there are no
Co	Cont. from 091015,		9/10/2015; extended to 10/29/2015; extended to	assets other than the
	2915	-,	6/2/2016	anticipated proceeds from
	Aff.Sub.Wit.			a successful personal injury
	Verified		JOHN E. ROGERS, JR., ESQ., nominee of	case. The Court extends the Letters of Special
Ľ			Decedent's father, <b>MELVIN COOPER, JR.</b> , is	Administration to 6/2/2016.
	Inventory		Petitioner and requests appointment as	A verified status report is to
	PTC		Administrator with Limited IAEA authority without bond.	be filed by 5/31/2016, and
	Not.Cred.		bolia.	Counsel is ordered to be
1	Notice of		Limited IAEA — OK	personally present in court
	Hrg			or via CourtCall on
✓	Aff.Mail	W	Decedent died intestate.	6/2/2016.
1	Aff.Pub.	,	Residence — Fresno	
Ľ			Publication — Business Journal	~Please see additional
	Sp.Ntc.			page~
	Pers.Serv.		Estimated value of the Estate:	
	Conf.		Personal property - <b>\$0.00*</b> *The estate has no assets except for a wrongful	
	Screen		death action with regard to Decedent's death.	
✓	Letters		_	
	Duties/Supp		Probate Referee: Steven Diebert	
Ě			Petitioner states:	
-	Objections Violan		<ul> <li>The sole heir of the estate is Decedent's father,</li> </ul>	
	Video Receipt		MELVIN COOPER, JR., pursuant to Probate	
	-		Code § 6402;	
	CI Report		Attorneys NAZARETH HAYSBERT and MILIN     Attorneys NAZARETH HAYSBERT and MILIN	
<u> </u>	9202 Order		CHUN are attorneys with BOUCHER LLP, the law firm involved with the wrongful death lawsuit	
<b>✓</b>			filed in federal court on behalf of Decedent's	
	Aff. Posting		estate.	Reviewed by: LEG
	Status Rpt			Reviewed on: 5/24/16
	UCCJEA		<b>Supplemental Declaration filed 10/27/2015</b> states [briefly] that John E. Rogers, Jr. is a licensed	Updates:
	Citation		California Attorney who has no relationship to	Recommendation:
	FTB Notice		Decedent, but who would be able to obtain the	File 8 – Cooper
			necessary probate bond; the federal Court has	
			ordered in the wrongful death action that	
			responsive pleadings be filed by 12/11/2015.	

### 8 Additional Page, Rodney Allen Cooper (Estate) Case No. 15CEPR00742

#### NEEDS/PROBLEMS/COMMENTS, continued:

**Note Re Notice**: Proof of Service by Mail of the Notice of Petition to Administer Estate filed 10/1/2015 shows notice served to 7 of the 8 persons listed in Item 8 of the Petition was mailed to the same address in Fresno for each of the persons, who are identified as Decedent's father and adult siblings. Given that Decedent's father is entitled to inherit the entire estate at this time, address confirmation of the 8 persons is not requested.

Note Re Special Administration: Ex Parte Order Appointing Special Administrator filed 8/13/2015 authorizes the Petitioner special powers to pursue wrongful death litigation and to pursue any claims associated with the lawsuit on behalf of the Decedent's estate. Ex Parte Petition indicated that appointment of a special administrator was necessary to avoid dismissal of the initial wrongful death complaint which was filed 4/28/2015 by BOUCHER, LLP, in federal court without anyone having been appointed as administrator of Decedent's estate, and an amended complaint was required by 8/26/2015.

**Note Re Bond:** Attachment 3(d) to the Petition states Petitioner requests no bond be required until such time as assets come into the estate, as there are no funds with which to pay a bond premium. If assets are recovered from litigation on behalf of Decedent's estate, a petition to the Court will be required regarding the need for bond pursuant to Probate Code § 8482 and CA Rule of Court 7.204, which provides that immediately upon the occurrence of facts making it necessary or appropriate to increase the amount of the bond, the personal representative or the attorney must make an exparte application for an order increasing the bond. Alternatively, the petition can request all funds be placed into a blocked account for the estate.

**Note Re Future Hearings:** If Petition for Letters of Administration is granted, Court may set status hearings as follows:

- Thursday, February 2, 2017 (8 months, to allow additional time for litigation) at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and
- Thursday, November 2, 2017 (17 months, to allow additional time for litigation) at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

#### 9 Ramon Talamantez Mendoza (Estate) Case No. 15CEPR00743

Vega, Mario D.; Parada, Robert S.; of Los Angeles (for John E. Rogers, Jr., Esq.) **Attorney** 

> Petition for Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act

DC	D: 11/10/2013		JOHN E. ROGERS, JR.,ESQ., nominee of	NEEDS/PROBLEMS/COMMENTS:
			Decedent's mother, RAMONA	Continued from 10/20/2015 Miguto
			<b>TALAMANTEZ</b> , is Petitioner and requests appointment as	Continued from 10/29/2015. Minute Order states Counsel represents that
			Administrator with Limited IAEA	there are no assets other than the
Со	ont. from 091015	,	authority without bond.	anticipated proceeds from a
10	2915		,	successful personal injury case. A
	Aff.Sub.Wit.		Limited IAEA — OK	verified status report is to be filed by
✓	Verified			5/31/2016, and Counsel is ordered to be personally present in court or via
	Inventory		Decedent died intestate.	CourtCall on 6/2/2016.
	PTC			
	Not.Cred.			
✓	Notice of		Residence — Fresno Publication — Business Journal	
<b> </b>	Hrg		Positions 300thai	
✓	Aff.Mail	W/		
<b>\</b>	Aff.Pub.		Estimated value of the Estate:  Personal property - \$0.00*	
	Sp.Ntc.		*The estate has no assets except for a	
	Pers.Serv.		wrongful death action with regard to	
	Conf.		Decedent's death.	
	Screen			. Places and additional pages
✓	Letters		Probate Referee: Rick Smith	~Please see additional page~
✓	Duties/Supp			
	Objections		<b>Petitioner states:</b> This estate has no	
	Video		assets and has been opened for the	
	Receipt		purpose of having a representative to	
	CI Report		file a wrongful death action with	
	9202		regard to Decedent's death.	
1	Order		Complemental Dealers Program	
	Aff. Posting		Supplemental Declaration filed 10/27/2015 states [briefly] that John E.	Reviewed by: LEG
	Status Rpt		Rogers, Jr. is a licensed California	<b>Reviewed on:</b> 5/24/16
	UCCJEA		Attorney who has no relationship to	Updates:
	Citation		Decedent, but who would be able to	Recommendation:
	FTB Notice		obtain the necessary probate bond.	File 9 – Mendoza

9 Additional Page, Ramon Talamantez Mendoza (Estate) Case No. 15CEPR00743

### NEEDS/PROBLEMS/COMMENTS, continued:

**Note Re Bond:** Attachment 3(d) to the Petition states Petitioner requests no bond be required until such time as assets come into the estate, as there are no funds with which to pay a bond premium. If assets are recovered from litigation on behalf of Decedent's estate, a petition to the Court will be required regarding the need for bond pursuant to Probate Code § 8482 and CA Rule of Court 7.204, which provides that immediately upon the occurrence of facts making it necessary or appropriate to increase the amount of the bond, the personal representative or the attorney must make an exparte application for an order increasing the bond. Alternatively, the petition can request all funds be placed into a blocked account for the estate.

Note Re Future Hearings: Court will set status hearings as follows:

- Thursday, February 2, 2017 (8 months, to allow additional time for litigation) at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and
- Thursday, November 2, 2017 (17 months, to allow additional time for litigation) at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

# 11 The Thomas J. Zumwalt and Mary Diane Zumwalt Revocable Family Trust Dated October 26, 2001 Case No. 15CEPR01175

Attorney: Gary G. Bagdasarian (for Petitioner Mary Diane Zumwalt)

### **Petition to Terminate Trust**

			MARY DIANE ZUMWALT, sole Trustee of	NEEDS/PROBLEMS/COMMENTS:
			the Thomas J. Zumwalt and Mary	
			Diane Zumwalt Revocable Family	On 3/8/16 the Court took the matter
			Trust, is Petitioner.	under submission – vacated
				pursuant to <b>Order on Petition to</b>
	ont. from 01191	6,	<b>Petitioner states</b> THOMAS J. ZUMWALT	Terminate Trust [Vacating submission
	0216, 030816,		and MARY DIANE ZUMWALT, husband	and providing for resubmission
050	0516	1	and wife, entered into that certain	pursuant to Cal. Rules of Court, Rule
	Aff.Sub.Wit.		Thomas J. Zumwalt and Mary Diane	2.900, subd. (b)] filed on 4/14/16.
1	Verified		Zumwalt Revocable Family Trust dated October 26, 2001.	The court issued this interim order requiring Petitioner to: 1) lodge the
	Inventory		OCIODEI 20, 2001.	original Trust document with the
	PTC		Thomas J. Zumwalt died on 8/6/15.	court, for in camera inspection; and
	Not.Cred.		Thereinafter Mary Diane Zumwalt	2) file a declaration establishing the
1	Notice of		became the sole Trustee.	transfer of assets to the Trust and
•	Hrg		Section 303 of the Trust provides that	setting forth Petitioner's contention
1	Aff.Mail	W/	"The Trustee shall hold, administer and	as to the nature of the Trust assets and support therefor. The court
	Aff.Pub.		distribute all Trust assets for the benefit of the surviving spouse, both as to	placed the matter back on
	Sp.Ntc.		income and principal unless otherwise	calendar for the limited purpose of
	Pers.Serv.		herein provided." Consequently, no	allowing Petitioner to comply with the order, and any additional oral
	Conf.		Irrevocable Trust was directed to be	arguments, after which the court will
	Screen		created and the Trust remained	again take the matter under
	Letters		Revocable as reflected in its name.	submission for a final ruling on the
	Duties/Supp		The Trust provides that upon the death	Petition. If more time is needed by
	Objections		of the surviving Trustor, Petitioner	petitioner to comply with the court's
	Video		herein, the Trust shall terminate and	order herein, petitioner may submit
	Receipt		the assets divide in four equal shares	an ex parte petition requesting the same. – <b>Original Trust lodged on</b>
	CI Report		to the following beneficiaries: Thomas Zumwalt, Timothy Zumwalt, Robert	5/3/16. Declaration of Mary Zumwalt
	9202		Zumwalt, minority zornwalt, Robert Zumwalt and Daniel H. Zumwalt.	as to Character of Assets filed on
1	Order			<b>5/31/16</b> (please see last page).
			Although the Trust does not provide	, , , ,
			specifically that the surviving spouse,	
	Aff. Posting		Petitioner herein, Mary Zumwalt, retains the power to revoke, the title of	Reviewed by: KT
	Status Rpt		the Trust is the Revocable Family Trust	<b>Reviewed on:</b> 5/31/16
	UCCJEA		and there is no specific language	Updates:
	Citation		requiring the creation of an	Recommendation:
	FTB Notice		Irrevocable Trust.	File 11- Zumwalt
			Please see additional page	
				11

## 11 The Thomas J. Zumwalt and Mary Diane Zumwalt Revocable Family Trust Dated October 26, 2001 Case No. 15CEPR01175

### Wherefore, Mary Diane Zumwalt, prays for a Court Order as follows:

- 1. The Thomas J. Zumwalt and Mary Diane Zumwalt Revocable Family Trust dated October 26, 2001 is terminated in its entirety;
- 2. All assets of the Thomas J. Zumwalt and Mary Diane Zumwalt Revocable Family Trust dated October 26, 2001 be distributed to Mary Diane Zumwalt.

**Declaration of Gary Bagdasarian filed on 1/28/16 states** all of the assets of the Trust were the community property of the Settlors, Thomas J. Zumwalt and Mary Diane Zumwalt.

All of the assets were community property, pursuant to Family Code §761 Mary Diane Zumwalt, the sole surviving settlor, acting alone, has the power to revoke the Trust as to community property.

#### **NEEDS/PROBLEMS/COMMENTS:**

1. Probate Code §15401(b)(1) states "Unless otherwise provided in the instrument, if a trust is created by more than one settlor, each settlor may revoke the trust as to the portion of the trust contributed by that settlor, except as provided in Section 761 of the Family Code." Section 761 of the Family Code gives either settlor acting alone the power to revoke as to community property. Under the commentary for Probate Code §15401 it states "A husband and wife created a trust with community property which expressly allowed revocation "at any time during the lifetime of either Trustor." After the wife died, the husband revoked the trust. This was effective only as to his half of the trust corpus because upon the wife's death the community interests were converted into separate property, one half of which belongs to the wife. In re: Estate of Powell, 83 Cal.App.4<sup>th</sup> 1434, 100 Cal.Rptr.2d 501 (3d Dist. 2000).

<u>Probate Code § 100</u> provides: "Upon the death of a married person, one-half of the community property belongs to the surviving spouse and the other half belongs to the decedent.

2. The Trust does not include a Schedule "A" listing the assets of the Trust. Probate Code § 15202 states "A trust is created only if there is trust property."

**Declaration of Gary Bagdasarian filed on 3/4/16** states while Probate Code §100 provides that upon the death of a married person, one-half of the community property belongs to the surviving spouse and the other half belongs to the decedent. As indicated in the case of *In re: Estate of Powell, 83 Cal.App.4th 1434, 100 Cal.Rptr.2d 501 (3d Dist. 2000),* a 1991 Trust permitted "revocation during a lifetime of either trustor." The Court goes on to say "thus, to the extent William and Myrtle retained reversionary property in the in the trust assets during Myrtles lifetime by virtue of the right of revocation provided in the trust , those property interest were transmuted from community to separate upon Myrtle's death." In the instant case, there was no reversionary property interest in trust assets because there was no "right of revocation provided in the trust." Consequently, the property interest were not transmuted from community property to separate property upon the death of Thomas J. Zumwalt and remained community property. Therefore Mary Diane Zumwalt has the power to revoke the entire trust composed of community property.

Please see additional page.

## 11 The Thomas J. Zumwalt and Mary Diane Zumwalt Revocable Family Trust Dated October 26, 2001 Case No. 15CEPR01175

**Declaration of Mary Diane Zumwalt as to Character of Assets filed on 5/31/16.** Ms. Zumwalt states she and decedent were married on 11/29/1941 in Yuma, Arizona. They continuously lived together as husband and wife from the date of their marriage to the date of Decedent's death on 8/6/15 in excess of 73 years.

At the time of marriage, Petitioner and Decedent's assets consisted of personal items of nominal value. Decedent was not indebted to any significant extent.

During the marriage Decedent did not receive any other property by inheritances that wasn't transmuted to community property.

Since the date of the marriage, Petitioner and Decedent have resided in the State of California and have each been employed.

All of the assets in the Thomas J. Zumwalt and Mary Diane Zumwalt Revocable Family Trust dated October 26, 2001 were derived from accumulations as a result of earnings by Decedent and Petitioner during their marriage.

Attorney: Gregory J. Roberts (for Petitioner Susan L. Waite)

### **Spousal Property Petition**

DOD: 9/28/2015			SUSAN L. WAITE, surviving spouse, is
			petitioner
			No other proceedings
_			Decedent died intestate
Co	nt. from 04281	6	
	Aff.Sub.Wit.		Petitioner states decedent obtained real
1	Verified		property in June 1997. Petitioner moved in with decedent the end of 2002 or early 2003
	Inventory		and they lived as husband and wife.
	PTC		Decedent and petitioner were married on
-	Not.Cred.		8/18/2011. Although real property was held
_			in the name of decedent alone, petitioner
<b>√</b>	Notice of Hrg		and decedent lived together in the
	Aff.Mail	\.\.\	property and petitioner continues to live
✓	All.Mall	w/	there. They paid all expenses related to the
	Aff.Pub.		property from their community funds and both expended their community time and
	Sp.Ntc.		efforts in the maintenance of the property.
	Pers.Serv.		From late 2002 or early 2003 until the
	Conf.		present, petitioner has paid or shared in the
	Screen		payment of the mortgage, insurance, taxes,
	Letters		maintenance and household expenses.
	Duties/Supp		Petitioner has continued to pay the
	Objections		mortgage on the property since decedent's
	Video		death. Decedent expressed on multiple occasions that the house was petitioner's
	Receipt		and decedent's. Decedent had two
	CI Report		children who are both adults and have
	9202		acknowledged the property as the
1	Order		community property of decedent and petitioner.
	Aff. Posting		Petitioner requests court confirmation that ½
	Status Rpt		interest in real property at 5016 East Thomas
	UCCJEA		Avenue, Fresno CA, belongs to her and that
	Citation		$rac{1}{2}$ interest passes to her.
	FTB Notice		

#### NEEDS/PROBLEMS/COMMENTS:

### CONTINUED TO 7/7/2016 Per Attorney request

### Minute order dated 4/28/2016

continued this matter to 6/2/2016 at counsel's request, to address the issue raised by the examiner.

1. Petitioner states decedent obtained real property prior to petitioner and decedent's marriage. Therefore, it appears at least a portion of the property the petitioner is trying to pass in this spousal property petition is decedent's separate property pursuant to Family Code 770(2). Therefore, pursuant to Probate Codes 13500, 13501(a) and 6401, it appears this property may not be subject to this type of proceeding.

Reviewed by: SEF

Reviewed on: 5/27/2016

Updates: 5/31/16 (LEG)

Recommendation:

File 15- Waite

Petitioner

Gretta Christa (Pro Per, daughter)

### Petition for Appointment of Probate Conservator of the Person

	Telinotrior Appointment of Frozaic Co	NEEDS/PROBLEMS/COMMENTS:
	7	,
	7	CONTINUED TO 6/30/2016
	7	Per Petitioner's request
Cont. from	=	
Aff.Sub.Wit.		
Verified	=	
Inventory		
PTC		
Not.Cred.	7	
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters	<u> </u>	
Duties/Supp		
Objections		
Video		
Receipt	=	
CI Report	_	
9202	_	
Order		Partare diameter
Aff. Posting	<del>- </del>	Reviewed by: LEG
Status Rpt	<del>- </del>	Reviewed on: 5/26/16
UCCJEA Citation	<del>- </del>	Updates:  Recommendation:
FTB Notice	<del>- </del>	File 19- Petrossian
FID NOTICE		riie 17- reiiossian

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